AND THE OTHER PROPERTY.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building Philadelphia, Pennsylvania 19107

In Reply Refer To Mailcode: (3RC33)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 26 1990

Mr. Chester Gadzinski, President Quaker City Gear Works, Inc. 351 Red Lion Road Huntingdon Valley, PA 19006

RE: Resource Conservation and Recovery Act
Administrative Complaint, Compliance Order
and Notice of Opportunity for Hearing
EPA Docket No. RCRA-III-H-205

Dear Mr. Gadzinski:

Enclosed is an Administrative Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") concerning violations of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6991e, by the Quaker City Gear Works, Inc. (QG) of Pennsylvania.

The Complaint is based upon the fact that an underground storage tank ("UST") at the facility located at 351 Red Lion Road, Huntingdon Valley, PA, has been out of use for a long period of time. When an UST system is temporarily closed for more than 12 months, the owner/operator must permanently close the UST system at the end of the 12-month period in accordance with 40 C.F.R. §§ 280.71-280.74 or upgrade the UST to meet the requirements in 40 C.F.R. § 280.20 or 280.21. QG did not comply with the closure requirements of 40 C.F.R. § 280.70(c) for Tank No. 1 at the facility by December 22, 1989.

The Complaint, Compliance Order and Notice of Opportunity for Hearing should be read and analyzed carefully to determine the alternatives available to you in responding to the alleged violations and proposed penalties.

You must file an Answer to the Complaint within thirty (30) days of your receipt of same. The Answer must specifically respond to each of the allegations in the Complaint. Failure to respond to the Complaint by specific Answer within thirty (30) days of your receipt of these documents will constitute admission of the allegations made in the Complaint. Failure to file an

Answer to the Complaint may result in the filing of a Motion for Default Order and the possible issuance of a Default Order imposing the penalties proposed in the Complaint without further proceedings.

You may choose to request a hearing to contest any matter set forth in this Complaint. Such a request must be included in the Answer to this Complaint. Whether or not a hearing is requested, you may request an informal settlement conference to discuss resolution of this case. A request for a settlement conference may be included in your Answer or you may contact the attorney assigned to this case:

Elizabeth S. Spencer (3RC33)
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, Pennsylvania 19107

Ms. Spencer can be reached by telephone at (215) 597-4963.

Sincerely,

Bruce P. Smith
Associate Director

Hazardous Waste Management Division

Office of RCRA Programs

Enclosures

cc: (with copy of enclosures)

Cindy Steele

Pennsylvania Department of Environmental Resources (PADER)

Kenneth Okorn (PADER)

Lydia A. Guy, Regional Hearing Clerk (with original of

enclosure)

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3. Article Addressed to: Mr. Marter Sadzinski, President	4. Article Number 484796
Mr. Chester Sadzinski, President Quaker City Geon Works, Inc. 351 Red Lion Road	Type of Service: Registered Insured Certified COD Express Mail
Huntingdon Valley, PA 19006	Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .
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COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES

1875 New Hope Street Norristown, PA 19401 215 270-1948

October 1, 1990

GÉD

Chester Gadzinski Quaker City Gear P.O. Box 39 Huntingdon Valley, PA 19006

> Re: Hazardous Waste Inspection PAD002343838 September 18, 1990 Lower Moreland Township Montgomery County

NOTICE OF VIOLATION

Dear Mr. Gadzinski:

This letter is to confirm the findings of the Department's referenced inspection of your hazardous waste activities. Requirements for hazardous waste facilities are contained in Chapters 260 through 270 of the Rules and Regulations of the Department. Violations of applicable sections of these regulations found during our inspection are as follows:

Act 97 Section 610(1) Clean Streams Law 35, §691.301

On September 18, 1990 Quaker City Gear Works, Inc. pumped a cutting oil and water mixture from the sump of the containment area for metal cuttings onto the driveway. This discharge was allowed to run off site and eventually impacted the Huntingdon Creek.

It is unlawful to dump or deposit any solid waste onto the surface of the ground or underground or into the waters of the Commonwealth, by any means, unless a permit for the dumping of such waste has been obtained from the Department.

Quaker City should stop this disposal practice immediately and insure the proper disposal of this waste in the future. To document this, a plan should be submitted to the Department within two weeks which details why this incident happened and what measures will be taken to prevent its recurrence. Procedures for proper disposal should be addressed.

Chester Gadzinski October 1, 1990 - 2 -

You are hereby notified that the Environmental Clean-up associated with the spill that occurred on April 15, 1990 has not been performed to the standards specified in the compliance order issued by the Department on April 17, 1990. Quaker City is still responsible to satisfactorily conduct an environmental cleanup to the conditions of the April 17, 1990 compliance order.

You are hereby notified of both the existence of these violations as well as the need to provide for their prompt correction. Toward this end, you are requested to submit to the Department within fourteen (14) days a proposed program and schedule for abatement of these violations. The Department's inspection report contains time periods of completion of remedial actions. These reports are either enclosed or have been previously supplied to you. If your proposed abatement program indicates certain corrections cannot be completed within these time periods, you are requested to supply justification for any extensions.

This letter does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this letter or the conditions upon which the letter is based. This letter shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This letter shall also not be construed as a final action of the Department of Environmental Resources.

If you have any questions concerning this matter, please feel free to contact me at the above number.

Very truly yours,

RICHARD G. DUDGINSKI Waste Management Specialist

cc: EPA/RCRA Enforcement
Division of Compliance & Monitoring
Compliance
Ms. Kurtz
Re 30 (1)269.20